

April 20, 2017

REGULAR MEETING MINUTES  
ILLINOIS CIVIL SERVICE COMMISSION  
April 20, 2017

I. CALL TO ORDER THE REGULAR OPEN MEETING AT 11:00 A.M. AT 160 N. LASALLE ST., SUITE S-901, CHICAGO, IL AND 607 E. ADAMS ST., SUITE 801, SPRINGFIELD, IL BY INTERACTIVE VIDEO CONFERENCE

II. PRESENT

Chairman Timothy D. Sickmeyer; G.A. Finch, David Luechtefeld, and Casey Urlacher, Commissioners; Daniel Stralka, Executive Director; Andrew Barris, Assistant Executive Director and Jane Ryan, Exemption Monitor; Roneta Taylor, Mike Quinlan, John Logsdon, and Chris Nickols, Illinois Department of Central Management Services; Jennifer Reif and Melina Tomaras-Collins, Illinois Department on Aging; John Keigher and Anthony Raffety, Illinois Law Enforcement Training and Standards Board; and Monica Carranza, Illinois Department of Innovation and Technology. Commissioner Anita Cummings was not present.

III. APPROVAL OF MINUTES OF REGULAR OPEN MEETING HELD MARCH 17, 2017

**IT WAS MOVED BY COMMISSIONER FINCH, SECONDED BY COMMISSIONER URLACHER, AND THE MOTION ADOPTED 4-0, TO APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD MARCH 17, 2017.**

IV. PUBLIC COMMENT IN ACCORDANCE WITH THE OPEN MEETINGS ACT

At this time, in accordance with the Open Meetings Act and the Rules of the Civil Service Commission, Executive Director Daniel Stralka offered an opportunity for any person to address members of the Commission. Hearing no response, the meeting proceeded to the next agenda item.

V. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE

**A. Report on Exempt Positions from Department of Central Management Services**

<u>Agency</u>	<u>Total Employees</u>	<u>Number of Exempt Positions</u>
Aging.....	143.....	19
Agriculture.....	305.....	20
Arts Council.....	9.....	2
Capitol Development Board.....	42.....	0
Central Management Services.....	1,293.....	97
Children and Family Services.....	2,536.....	54
Civil Service Commission.....	4.....	0
Commerce & Economic Opportunity.....	286.....	71
Commerce Commission.....	58.....	0
Corrections.....	11,747.....	109
Criminal Justice Authority.....	53.....	7
Deaf and Hard of Hearing Comm.....	5.....	1
Developmental Disabilities Council.....	8.....	1
Emergency Management Agency.....	64.....	8
Employment Security.....	1,049.....	31
Environmental Protection Agency.....	647.....	18
Financial & Professional Regulation.....	397.....	49
Gaming Board.....	167.....	6
Guardianship and Advocacy.....	93.....	8
Healthcare and Family Services.....	1,856.....	27
Historic Preservation Agency.....	126.....	17
Human Rights Commission.....	14.....	2
Human Rights Department.....	120.....	10
Human Services.....	12,537.....	82
Illinois Torture Inquiry Relief Commission.....	3.....	1
Independent Tax Tribunal.....	1.....	0
Innovation and Technology.....	32.....	17
Insurance.....	223.....	17
Investment Board.....	3.....	2
Juvenile Justice.....	971.....	28
Labor.....	79.....	12
Labor Relations Board Educational.....	7.....	3
Labor Relations Board State.....	13.....	2
Law Enforcement Training & Standards Bd.....	21.....	2
Lottery.....	142.....	8
Military Affairs.....	123.....	3
Natural Resources.....	1,028.....	32
Pollution Control Board.....	17.....	2
Prisoner Review Board.....	21.....	1
Property Tax Appeal Board.....	29.....	1
Public Health.....	1,051.....	42
Racing Board.....	2.....	1
Revenue.....	1,410.....	48
State Fire Marshal.....	115.....	12
State Police.....	959.....	10
State Police Merit Board.....	7.....	2
State Retirement Systems.....	100.....	3
Transportation.....	3,163.....	0
Veterans' Affairs.....	1,252.....	11
Workers' Compensation Commission.....	118.....	12
<b>TOTALS.....</b>	<b>44,449.....</b>	<b>911</b>

**B. Governing Rule – Section 1.142 Jurisdiction B Exemptions**

- a) The Civil Service Commission shall exercise its judgment when determining whether a position qualifies for exemption from Jurisdiction B under Section 4d(3) of the Personnel Code. The Commission will consider any or all of the following factors inherent in the position and any other factors deemed relevant to the request for exemption:
  - 1) The amount and scope of principal policy making authority;
  - 2) The amount and scope of principal policy administering authority;
  - 3) The amount of independent authority to represent the agency, board or commission to individuals, legislators, organizations or other agencies relative to programmatic responsibilities;
  - 4) The capability to bind the agency, board or commission to a course of action;
  - 5) The nature of the program for which the position has principal policy responsibility;
  - 6) The placement of the position on the organizational chart of the agency, board or commission;
  - 7) The mission, size and geographical scope of the organizational entity or program within the agency, board or commission to which the position is allocated or detailed.
- b) The Commission may, upon its own action after 30 days notice to the Director of Central Management Services or upon the recommendation of the Director of the Department of Central Management Services, rescind the exemption of any position that no longer meets the requirements for exemption set forth in subsection (a). However, rescission of an exemption shall be approved after the Commission has determined that an adequate level of managerial control exists in exempt status that will insure responsive and accountable administrative control of the programs of the agency, board or commission.
- c) For all positions currently exempt by action of the Commission, the Director of Central Management Services shall inform the Commission promptly in writing of all changes in essential functions, reporting structure, working title, work location, position title, position number or specialized knowledge, skills, abilities, licensure or certification.
- d) Prior to granting an exemption from Jurisdiction B under Section 4d(3) of the Personnel Code, the Commission will notify the incumbent of the position, if any, of its proposed action. The incumbent may appear at the Commission meeting at which action is to be taken and present objections to the exemption request.

(Source: Amended at 34 Ill. Reg. 3485, effective March 3, 2010)

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**C. Requests for 4d(3) Exemption**

Exemption Monitor Jane Ryan reported the following:

- Item C is an exemption request from the Illinois Department on Aging for a State Ombudsman Program Administrator which reports to the Director. This position is required by the Older Americans Act of 1965 and Illinois law (20 ILCS 105/4.04). The federal regulations became effective July 1, 2016 (45 CFR 1327) requiring the State Long-Term Care Ombudsman to be a distinct entity, separately identifiable within the agency. These regulations identified co-mingling of duties such as managing the Home and Community Services Division and serving as the Ombudsman as a conflict of interest disallowed under the rules changes. The Ombudsman duties were previously included in such as an operational position. Therefore, the structure requires modification by adding this separate and distinct entity. This new position maintains principal policy making authority and ensures conformity to all federal and state regulations. Based upon the information provided, Staff recommended approval of this exemption request.

Department on Aging Deputy Director, Jennifer Reif, and Human Resources Manager, Melina Tomaras-Collins, agreed with the information presented.

- Item D is an exemption request from the Illinois Law Enforcement Training and Standards Board (Board) for a Deputy Director of Field Services reporting to the Executive Director. The Board is responsible for the training and regulation of 45,000 certified law enforcement personnel in Illinois. The Board conducts part-time basic academies and over 30,000 hours of in-service and specialized law enforcement training courses certified by the Board. The Mobile Teams average 44,640 officers and criminal justice personnel trained annually. The Board is in the process of updating the basic curriculum and expanding it from 400 hours to 560 hours, the first curriculum increase since 1983. The Deputy Director of Field Operations will head up this feat. Once the curriculum update is completed and implemented, the plan is for the Deputy Director to supervise training programs and staff that has, until now, been overseen by two non-union Code covered Public Service Administrators. One of these positions was established in 2016 for supervision of a new Macon County Specialized Training facility. The Board indicates that the status of the two non-union Code employees will not change. Staff recommended that the position be approved for a 24-month period. This would allow time for the curriculum re-write and implementation while allowing the Commission to review the ongoing change to the organizational structure to be certain it will continue to qualify for 4d(3) exemption.

Commission Luechtefeld inquired what happens at the end of the 24-month period. Executive Director Stralka explained that so long as the new curriculum is established, the agency should just let the exemption expire by its terms. However, if the curriculum is not yet complete, the agency will come back to the Commission one or two months before the expiration date and ask to have the term extended for whatever amount of time it estimates will be needed to complete the curriculum. Chairman Sickmeyer asked what was the reason the Board asked for temporary exemption. The Board attorney, John Keigher, replied that the agency was seeking a permanent exempt

position based on policy decisions being made by employees covered by the Personnel Code. The Board believes those decisions are better placed under a 4d(3) exempt position. Chairman Sickmeyer then asked if this was a new position and the Board representative responded affirmatively. Jane Ryan then explained in greater detail why she was recommending a 24-month term, including that the agency established a Public Service Administrator (PSA) position in August 2016 to supervise the Macon County Training Center and has had a long-term organization of PSA's supervising the training programs. The 24-month period would allow for revisiting that organizational structure if the agency seeks to extend it or have it made permanent. Commissioner Luechtefeld requested confirmation that the intent was for the position to be permanent and Mr. Keigher indicated it was.

**IT WAS MOVED BY COMMISSIONER URLACHER, SECONDED BY COMMISSIONER LUECHTEFELD, AND THE MOTION ADOPTED 4-0 TO GRANT THE EXEMPTION REQUEST FOR THE FOLLOWING POSITION:**

**C: State Ombudsman Program Administrator (DOA)**

**IT WAS MOVED BY COMMISSIONER URLACHER, SECONDED BY COMMISSIONER FINCH, AND THE MOTION ADOPTED 4-0 TO GRANT THE EXEMPTION REQUEST FOR THE FOLLOWING POSITION FOR A PERIOD OF 24 MONTHS:**

**D: Deputy Director, Field Operations (LETSB)**

**The following 4d(3) exemption request was granted on April 20, 2017:**

**C. Illinois Department on Aging**

Position Number	40070-47-00-100-00-01
Functional Title	State Ombudsman Program Administrator
Incumbent	Vacant
Supervisor	Director
Location	Sangamon County

**The following 4d(3) exemption request was granted on April 20, 2017 for a period of 24 months:**

**D: Illinois Law Enforcement Training and Standards Board**

Position Number	40070-50-88-000-01-03
Functional Title	Deputy Director, Field Operations
Incumbent	Vacant
Supervisor	Executive Director
Location	Sangamon County

VI. CLASS SPECIFICATIONS

**A. Governing Rule – Section 1.45 Classification Plan**

The Commission will review the class specifications requiring Commission approval under the Classification Plan and will approve those that meet the requirements of the Personnel Code and Personnel Rules and conform to the following accepted principles of position classification:

- a) The specifications are descriptive of the work being done or that will be done;
- b) Identifiable differentials are set forth among classes that are sufficiently significant to permit the assignment of individual positions to the appropriate class;
- c) Reasonable career promotional opportunities are provided;
- d) The specifications provide a reasonable and valid basis for selection screening by merit examinations;
- e) All requirements of the positions are consistent with classes similar in difficulty, complexity and nature of work.

The following class titles were submitted for abolishment, creation and revision by the Director of the Illinois Department of Central Management Services (CMS):

**B. Dietary Manager I (revise)**  
**Dietary Manager II (revise)**

**C. Educator Trainee (abolish)**

**D. Foreign Service Economic Development Representative (abolish)**  
**Foreign Service Economic Development Executive I (revise)**  
**Foreign Service Economic Development Executive II (revise)**

**E. Insurance Performance Examiner Trainee (create)**  
**Insurance Performance Examiner I (revise)**  
**Insurance Performance Examiner II (revise)**  
**Insurance Performance Examiner III (revise)**

**F. Research Scientist I (revise)**  
**Research Scientist II (revise)**  
**Research Scientist III (revise)**

Assistant Executive Director Andrew Barris spoke to Chris Nickols at Central Management Services Technical Services about the creation, revision and abolishment of the proposed classes. Barris noted the following about the previous creation and/or revision dates of the proposed classes:

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- Item B, Dietary Manager I was last revised in 1999 but the Dietary Manager II was last revised in 1970.
- Item C, Educator Trainee was created in 2011.
- Item D, Foreign Service Economic Development Executive I and II were last revised in 1970.
- Item E, Insurance Performance Examiner I and II were last revised in 2001 but the Insurance Performance Examiner III was last revised in 1970.
- Item F, Research Scientist I was last revised in 1968 while the Research Scientist II and III were last revised in 1970.

Assistant Executive Director Barris inquired why there was such a discrepancy between certain revision dates, i.e., the Dietary Manager I was last revised in 1999 but the Dietary Manager II was revised 29 years earlier in 1970 and the Insurance Performance Examiner I and II were last revised in 2001 but the Insurance Performance Examiner III was last revised 31 years earlier in 1970. Chris Nickols explained that this issue was being addressed as part of the five-year process CMS is engaged in with agencies to create consistencies in the position classification system. Nickols explained that previously there might have not been a need to revise the higher class if the only changes were made to the lower classes but this approach was currently being addressed through their current examination process. Barris asked if there were any candidates in mind for the creation of the Insurance Performance Examiner Trainee and that is why the standards were lowered in the creation of the class for the benefit of those individuals while also noting that the column for incumbents was blank next to the class title. Nickols stated that there were no candidates with lesser credentials waiting for lower standards to assume positions within the class as that would be impossible before the creation of the class. Barris asked if the abolishment of the Educator Trainee class was in response to the mis-numbered Instructor classes from last month's agenda and Nickols indicated that it partially was and also because the Instructor classes approved last month supplanted the duties of the Educator Trainee class. All of the creation, revision and/or abolishment of the proposed classes were agreed to through collective bargaining. For these reasons, Staff recommended approval of the creation, revision and/or abolishment of the proposed classes.

**IT WAS MOVED BY COMMISSIONER URLACHER, SECONDED BY COMMISSIONER LUECHTEFELD, AND THE MOTION ADOPTED 4-0 TO APPROVE THE ABOLISHMENT, CREATION AND REVISION OF THE FOLLOWING CLASS TITLES TO BE EFFECTIVE MAY 1, 2017:**

- B. Dietary Manager I (revise)  
Dietary Manager II (revise)**
- C. Educator Trainee (abolish)**
- D. Foreign Service Economic Development Representative (abolish)  
Foreign Service Economic Development Executive I (revise)  
Foreign Service Economic Development Executive II (revise)**

- E. Insurance Performance Examiner Trainee (create)**
- Insurance Performance Examiner I (revise)**
- Insurance Performance Examiner II (revise)**
- Insurance Performance Examiner III (revise)**
  
- F. Research Scientist I (revise)**
- Research Scientist II (revise)**
- Research Scientist III (revise)**

**IT WAS MOVED BY COMMISSIONER URLACHER, SECONDED BY COMMISSIONER FINCH, AND THE MOTION ADOPTED 4-0 TO DISAPPROVE ANY CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION STAFF NOT CONTAINED IN THIS AGENDA TO ALLOW ADEQUATE STUDY.**

**VII. PERSONNEL RULES**

**A. Civil Service Commission Governing Rule – Section 1.310 Personnel Rules**

The Commission has power to disapprove new rules or amendments to existing rules submitted by the Director of Central Management Services. Such proposed new rules or amendments of existing rules submitted to the Commission shall be accompanied by a report of proceedings attending the prior public hearing required by law with respect to them. If the Commission does not disapprove new rules or any amendment to existing rules within 30 days following the receipt from the Director of Central Management Services, the new rules or amendments have the force and effect of law after filing by the Director with the Secretary of State.

**B. None submitted**

**IT WAS MOVED BY COMMISSIONER URLACHER, SECONDED BY COMMISSIONER LUECHTEFELD, AND THE MOTION ADOPTED 4-0 TO DISAPPROVE ANY AMENDMENTS TO PERSONNEL RULES RECEIVED BY THE COMMISSION STAFF BUT NOT CONTAINED IN THIS AGENDA TO ALLOW ADEQUATE STUDY.**

**VIII. MOTION TO CLOSE A PORTION OF THE MEETING**

**IT WAS MOVED BY COMMISSIONER URLACHER, SECONDED BY COMMISSIONER FINCH, AND BY ROLL CALL VOTE THE MOTION ADOPTED 4-0 TO CLOSE A PORTION OF THE MEETING PURSUANT TO SUBSECTIONS 2(c)(1), 2(c)(4), AND 2(c)(11) OF THE OPEN MEETINGS ACT.**

<b>SICKMEYER</b>	<b>YES</b>	<b>CUMMINGS</b>	
<b>FINCH</b>	<b>YES</b>	<b>LUECHTEFELD</b>	<b>YES</b>
<b>URLACHER</b>	<b>YES</b>		

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IX. RECONVENE THE OPEN MEETING

Upon due and proper notice, the regular open meeting of the Illinois Civil Service Commission was reconvened at 160 N. LaSalle St., Suite S-901, Chicago, IL and 607 E. Adams St., Suite 801, Springfield, IL by interactive video conference at 11:26 a.m.

PRESENT

Chairman Timothy D. Sickmeyer; G.A. Finch, David Luechtefeld and Casey Urlacher, Commissioners; Daniel Stralka, Executive Director; and Andrew Barris, Assistant Executive Director and Jane Ryan, Exemption Monitor.

X. NON-MERIT APPOINTMENT REPORT

Set forth below is the number of consecutive non-merit appointments made by each agency as reported by Central Management Services:

<b>Agency</b>	<b>2/28/17</b>	<b>3/31/17</b>	<b>3/31/16</b>
Agriculture	0	0	1
Central Management Services	0	0	4
Children and Family Services	0	0	1
Employment Security	0	0	1
Financial and Professional Regulation	0	0	1
Healthcare and Family Services	0	0	3
Human Services	1	1	11
Insurance	0	0	2
Natural Resources	2	2	6
State Police	0	0	1
State Retirement Systems	2	0	5
Transportation	14	18	5
Workers' Compensation Commission	0	0	1
<b>Totals</b>	19	21	42

XI. INTERLOCUTORY APPEALS

**DA-45-16**

Employee	Adoija Watkins	Appeal Date	4/13/16
Agency	Human Services	Decision Date	4/07/17
Type	Discharge	ALJ	Andrew Barris
Issue(s)	Failure to appear at hearing date and to file materials	Proposal for Decision	Dismissed for default, subject to approval of Commission.

**IT WAS MOVED BY COMMISSIONER FINCH, SECONDED BY COMMISSIONER URLACHER, AND BY ROLL CALL VOTE OF 4-0 THE MOTION ADOPTED TO AFFIRM AND ADOPT THE PROPOSAL FOR DECISION OF THE ADMINISTRATIVE LAW JUDGE TO DISMISS THE APPEAL AS THE COMMISSION FINDS THAT WATKINS' FAILURE TO FILE A WRITTEN CLOSING STATEMENT AND FAILURE TO APPEAR AT THE HEARING DATE ON MARCH 9, 2017 CONSTITUTES A DEFAULT, RESULTING IN THE DISMISSAL OF THE APPEAL.**

**SICKMEYER YES CUMMINGS  
FINCH YES LUECHTEFELD YES  
URLACHER YES**

**DA-30-17**

Employee	LaVenía Readus	Appeal Date	1/11/17
Agency	Human Services	Decision Date	4/07/17
Type	Discharge	ALJ	Andrew Barris
Issue(s)	Motion to Dismiss for no jurisdiction (failure to timely file discharge appeal)	Proposal for Decision	Grant Motion to Dismiss for no jurisdiction, subject to approval of Commission.

**IT WAS MOVED BY COMMISSIONER URLACHER, SECONDED BY COMMISSIONER LUECHTEFELD, AND BY ROLL CALL VOTE OF 4-0 THE MOTION ADOPTED TO AFFIRM AND ADOPT THE PROPOSAL FOR DECISION OF THE ADMINISTRATIVE LAW JUDGE TO DISMISS THE APPEAL FOR LACK OF JURISDICTION AS THE COMMISSION FINDS THAT READUS FAILED TO CHANGE HER ADDRESS WITH THE AGENCY AS REQUIRED BY AGENCY RULES AND THREE ATTEMPTS OF SERVICE OF THE NOTICE OF APPROVED CHARGES OCCURRED THROUGH CERTIFIED MAIL FROM NOVEMBER 16, 2016 TO DECEMBER 2, 2016 AT READUS' LAST ADDRESS APPEARING IN HER PERSONNEL FILE. READUS DID NOT FILE HER APPEAL WITH THE CIVIL SERVICE COMMISSION UNTIL JANUARY 11, 2017 WHICH WAS ALMOST TWO MONTHS AFTER THE EFFECTIVE DATE OF DISCHARGE AND ALMOST TWO MONTHS AFTER THE AGENCY'S PROPER ATTEMPT OF SERVICE PURSUANT TO THE PERSONNEL RULES.**

**SICKMEYER YES CUMMINGS  
FINCH YES LUECHTEFELD YES  
URLACHER YES**

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XII. APPEAL TERMINATED WITHOUT DECISION ON THE MERITS

DA-37-17

Employee	David A. Ratkovich	Appeal Date	3/02/17
Agency	Human Services	Decision Date	3/13/17
Appeal Type	Discharge	Proposal for Decision	Dismissed; withdrawn.
ALJ	Daniel Stralka		

**IT WAS MOVED BY COMMISSIONER URLACHER, SECONDED BY COMMISSIONER LUECHTEFELD, AND BY ROLL CALL VOTE OF 4-0 THE MOTION ADOPTED TO AFFIRM AND ADOPT THE PROPOSAL FOR DECISION OF THE ADMINISTRATIVE LAW JUDGE TO DISMISS THE APPEAL FOR THE REASONS SET FORTH IN THE PROPOSAL FOR DECISION.**

<b>SICKMEYER</b>	<b>YES</b>	<b>CUMMINGS</b>	
<b>FINCH</b>	<b>YES</b>	<b>LUECHTEFELD</b>	<b>YES</b>
<b>URLACHER</b>	<b>YES</b>		

Chairman Sickmeyer and Commissioner Luechtefeld gave Executive Director Stralka authority to sign their names to the signature sheets in accordance with their votes.

XIII. STAFF REPORT

Assistant Executive Andrew Barris explained the procedures for submitting the Statement of Economic Interest and Supplemental which he can fill in. Chairman Sickmeyer commented that it would be better if the Statement of Economic Interest form had a reminder or notice that it is to be submitted to the Ethics Officer for review prior to filing with the Secretary of State.

Executive Director Daniel Stralka reported:

- The Commission went live on April 1 with the Enterprise Resource Planning program transition to the SAP financial software suite. The transition appears to be going smoothly.
- Commissioners Luechtefeld and Finch appeared before the Senate Executive Appointments Committee on April 4 and were recommended for confirmation. Commissioner Urlacher was re-elected as Mayor of Mettawa earlier in the month. Congratulations were extended all around.
- Signature authorization forms were prepared that all Commissioners were being asked to sign. This procedure will expedite the processing of appeal signature sheets for each meeting.

At Chairman Timothy Sickmeyer's request, Executive Director Stralka reviewed the Chairman's proposed changes to the 2017 Meeting Schedule. All Commissioners present were in agreement with the changes.

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Jane Ryan made a brief presentation on contingency planning in case of a strike.

XIV. ANNOUNCEMENT OF NEXT MEETING

Announcement was made of the next regular open meeting to be held Friday, May 19, 2017 at 11:00 a.m.

XV. MOTION TO ADJOURN

**IT WAS MOVED BY COMMISSIONER URLACHER, SECONDED BY COMMISSIONER FINCH, AND THE MOTION ADOPTED 4-0 TO ADJOURN THE MEETING AT 11:37 A.M.**